Sequence Rules. A paper copy of the Sequence Listing was filed as pages 104 to 127 of the specification. A corrected version of the Sequence Listing in compliance with the rules pertaining to submission of sequence information accompanies. A computer readable version of the Sequence Listing also accompanies.

Restriction of the claimed invention in terms of Groups I, II and III has been required. A provisional election to prosecute claims 57-68, 79-81 and 160 with traverse has been made. This election is hereby affirmed. The Action further required election of a specific monoclonal antibody. Applicants submit that full compliance with such a requirement would unduly restrict the scope of examination of the claimed invention. Exemplary monoclonal antibodies of the claimed invention are set forth at pages 37-44 and six of them have been deposited with FERM under the Budapest Treaty (see depositary receipts). These six antibodies are elected. Election is traversed because it would not be unduly burdensome to search the related monoclonal antibodies of the claimed invention.

Informalities in the Information Disclosure Statement filed September 19, 1997 have been noted. An English translation of reference 1 (WO 95/13293) was requested. An English version of this reference is EP 675200, a copy of which accompanies.

A copy of reference 6 (Suda et al. (1994) *Cell Technology*, 13(8), 738-744) was indicated as not having been received. A copy of this reference (in Japanese) accompanies.

The specification has been amended to indicate trademarks, SEQ ID NOS, where applicable, and to correct other informalities. The specification was objected to as failing to disclose certain SEQ ID NOS; however, it is believed that the sequences disclosed in the application have all been assigned SEQ ID NOS.

The claims have been amended to clarify and better define the claimed subject matter.

Claim "54" (claim 60) was rejected under 35 USC 112, first paragraph, as not being enabled by the specification. This rejection is respectfully traversed.

Specifically, the Action asserts that a repeatable method for obtaining the Fas/WR19L cell line has not been disclosed. However, a method for preparing the cell line is disclosed at page 51, lines 17-26. As mentioned in the specification, transfection of human Fas genes into WR19L can be performed as described by Hanabuchi et al. (1994) *PNAS USA*, 91: 4930-4934. A copy of this reference is attached herewith for the examiner's convenience. One skilled in the art can obtain the Fas/WR19L cell line following the procedure disclosed in this reference by simply substituting the human Fas gene and WR19L cells for mouse Fas gene and L5178Y cells. WR19L cells are publicly available from ATCC (ATCC TIB52).

Claims 52-54, 73-75 and 154 were rejected under 35 USC 112, second paragraph, as being indefinite. Any basis for this rejection is removed following the above amendments to the claims.

Claims 51-57 and 73-75 were rejected under 35 USC 102(b) or 103 over Goodwin (WO 95/18819). This rejection is respectfully traversed.

Goodwin merely discloses a prophetic example (Example 3) for making a monoclonal antibody immunoreactive with Fas ligand. As such, the cited reference can only be viewed as an invitation to others to do research along the lines disclosed. Clearly, the cited reference does not disclose any actual antibodies prepared according to the disclosed (or any other) method. Nor are any antibodies immunoreactive with Fas ligand characterized by this reference. Accordingly, the Goodwin does not teach or suggest the claimed invention.

Claims 58, 59, 61 and 62 were rejected under 35 USC 103 over Goodwin in view of Harlow. This rejection is respectfully traversed.

The deficiencies of Goodwin have been noted above. Harlow is cited as disclosing the ELISA and biotin-avidin techniques for visualizing antibodies. However, Harlow does not cure the deficiencies of Goodwin noted above.

Claim 60 was rejected under 35 USC 103 over Goodwin and Harlow further in view of Goding. This rejection is respectfully traversed.

Goding is cited as disclosing that IgM has potentially 10 binding sites and a functional avidity that may be extremely large.

However, Goding does not cure the deficiencies of Goodwin noted above.

Claim 62 was rejected under 35 USC 103 over Goodwin and Harlow further in view of Takahashi. This rejection is respectfully traversed.

Takahashi is cited as disclosing expression of high amounts of Fas ligand in mice with hepatitis and the possible correlation with human hepatitis. However, the claimed kit employs monoclonal antibodies immunoreactive with Fas ligand, which are not taught or suggested by any of the cited references. Accordingly, the claimed invention is not obvious over the cited references.

Claim 154 was rejected under 35 USC 103 over Goodwin in view of Smith and further in view of Takahashi and Watanabe-Fukunaga. This rejection is respectfully traversed.

Smith is cited as disclosing a method for preparing monoclonal antibodies by immunosensitizing mice. Watanabe-Fukunaga is cited as disclosing MLR *lpr* mice that lack Fas antigen. Takahashi is cited as disclosing that administration of anti-Fas antibody to normal mice resulted in the rapid death of the mice due to hepatic failure. However, none of the cited references cures the deficiencies of Goodwin noted above.

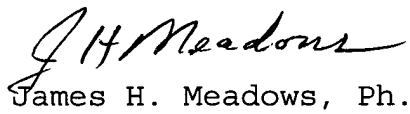
In view of the foregoing amendments and remarks, the application is in condition for allowance. A Notice of Allowability is solicited.

If, in the opinion of the Examiner, a telephone conversation could expedite prosecution, the Examiner is invited to telephone the undersigned at the number given below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT, WILL & EMERY



James H. Meadows, Ph.D.
Registration No. 33,965

Attachments:
Response to Notice to Comply with Sequence Rules
EP 675200
Suda et al. (in Japanese)
Hanabuchi S., et al.

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Date: November 30, 1998